

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EMERY M. SAMMONS	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 14-2419
PHILADELPHIA GAS WORKS	:	

**ORDER**

**AND NOW**, this 23rd day of March, 2016, upon consideration of Defendant's Motion for Summary Judgment (ECF No. 18), Defendant's Supplemental Motion for Summary Judgment (ECF No. 34), and Plaintiff's Cross-Motion for Summary Judgment (ECF No. 36), and all papers submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. Defendant's Motion for Summary Judgment as to Count I of the Amended Complaint (age discrimination) is **GRANTED**, and judgment is entered in favor of Defendant Philadelphia Gas Works. Count I is **DISMISSED**
2. Defendant's Motion for Summary Judgment on Count II of the Amended Complaint (breach of settlement agreement) is **DENIED**.
3. Plaintiff's Motion for Summary Judgment as to Defendant's Counterclaim (Fraud) is **GRANTED**, and judgment is entered in favor of Plaintiff Emory M. Sammons.  
Defendant's Counterclaim is **DISMISSED** as time barred

**IT IS SO ORDERED.**

**BY THE COURT:**



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**R. BARCLAY SURRICK, J.**